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May 20 2010

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Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

RE: Docket No. AB-364 (Sub-No. 16X), *Mid-Michigan Railroad, Inc.*
Abandonment Exemption—in Muskegon County, MI

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MAY 20 2010
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Public Record

Dear Ms. Brown:

By letter filed on May 13, 2010, the Michigan Department of Natural Resources and Environment ("MIDNRE") requests the Surface Transportation Board (the "Board") extend the time to negotiate trail use over the 0.5-mile line between milepost 191.40 and milepost 191.90 in Muskegon, MI (the "Partial Line"). MIDNRE also requests that the Board issue a Notice of Interim Trail Use and Abandonment ("NITU") for the entire line authorized for abandonment in the above-entitled proceeding between milepost 191.40 and milepost 194.75 in Muskegon, MI (the "Entire Line"). Mid-Michigan Railroad, Inc. ("MMRR") notifies the Board that it is willing to negotiate interim trail use/rail banking with the MIDNR for the Entire Line.

The Board granted a NITU for the Partial Line in a decision served on May 19, 2009. A decision served on November 25, 2009 granted an extension for MIDNRE and MMRR to negotiate under the NITU was until May 14, 2010 and extended the consummation date until July 13, 2010.

In the decision served on May 19, 2009, the Board imposed two environmental conditions. By letter filed on July 23, 2009, MMRR notified the Board that it had complied with the condition requiring MMRR to contact the City regarding restoration of the 15 public road crossings and all related infrastructure, including streets, sidewalks, curbs, pavement, and terraces, and comply with the reasonable requirements of the City in restoring the 15 public road crossings that may be impacted as a result of rail line salvage. MMRR has not yet complied with the second environmental condition and has therefore not been able to consummate the abandonment of the Entire Line. Since, MMRR has not consummated the abandonment of the Entire Line and agrees to negotiate trail use with MIDNRE for the Entire Line, MMRR concurs in the extension of the negotiation period until November 10, 2010.

Ms. Cynthia T. Brown
May 20, 2010
Page 2

MMRR understands that pursuant to 49 C.F.R. 1152.29(e)(2) that a NITU is a regulatory barrier to consummation of the abandonment and that the period for consummation of the abandonment is automatically extended until 60 days after the satisfaction, expiration or removal of the regulatory requirement, in this case January 9, 2011.

MMRR is efilng this letter. Thank you for your assistance. If you have any questions please contact me.

Sincerely yours:

A handwritten signature in black ink, appearing to read "Louis E. Gitomer", is written over a horizontal line.

Louis E. Gitomer
Attorney for: Mid-Michigan Railroad, Inc

cc: Mr. James Radabaugh